

# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US2004/026196

**A. CLASSIFICATION OF SUBJECT MATTER**  
IPC 7 C12N15/63 C12N15/67 A61K48/00

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 C12N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, MEDLINE, WPI Data, PAJ, CHEM ABS Data, EMBASE, SCISEARCH

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	TANG YI ET AL: "Hypoxia inducible double plasmid system for myocardial ischemia gene therapy" HYPERTENSION (BALTIMORE), vol. 39, no. 2 Part 2, February 2002 (2002-02), pages 695-698, XP002304487 ISSN: 0194-911X	1,2,5,7, 9-16,27
Y	the whole document ----- -/-	17-26,28

☒ Further documents are listed in the continuation of box C.

☐ Patent family members are listed in annex.

\* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the International filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the International filing date but later than the priority date claimed

- "T" later document published after the International filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the International search

11 November 2004

Date of mailing of the International search report

01/12/2004

Name and mailing address of the ISA

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	<p>PHILLIPS M IAN ET AL: "Vigilant vector: Heart-specific promoter in an adeno-associated virus vector for cardioprotection" HYPERTENSION (BALTIMORE), vol. 39, no. 2 Part 2, February 2002 (2002-02), pages 651-655, XP002304486 ISSN: 0194-911X the whole document</p>	1,2,5,7, 9-16
Y	<p>TANG YI ET AL: "Vigilant vectors: Adeno-associated virus with a biosensor to switch on amplified therapeutic genes in specific tissues in life-threatening diseases." METHODS (ORLANDO), vol. 28, no. 2, October 2002 (2002-10), pages 259-266, XP002304488 ISSN: 1046-2023 the whole document</p>	1,2,5,7, 9-16
Y	<p>HALABY I A ET AL: "Glucocorticoid-regulated VEGF expression in ischemic skeletal muscle" MOLECULAR THERAPY, ACADEMIC PRESS, SAN DIEGO, CA,, US, vol. 5, no. 3, March 2002 (2002-03), pages 300-306, XP002977064 ISSN: 1525-0016 the whole document</p>	1,2,5,7, 9-16,27
Y	<p>ABRUZZESE R V ET AL: "Ligand-dependent regulation of vascular endothelial growth factor and erythropoietin expression by a plasmid-based autoinducible GeneSwitch system." MOLECULAR THERAPY : THE JOURNAL OF THE AMERICAN SOCIETY OF GENE THERAPY. SEP 2000, vol. 2, no. 3, September 2000 (2000-09), pages 276-287, XP002305133 ISSN: 1525-0016 the whole document</p>	1,2,5,7, 9-16,27

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	YAMAGUCHI JUN-ICHI ET AL: "Stromal cell-derived factor-1 effects on ex vivo expanded endothelial progenitor cell recruitment for ischemic neovascularization." CIRCULATION, vol. 107, no. 9, 11 March 2003 (2003-03-11), pages 1322-1328, XP002305134 ISSN: 0009-7322 the whole document	17-26,28
Y	KOLLET ORIT ET AL: "HGF, SDF-1, and MMP-9 are involved in stress-induced human CD34+ stem cell recruitment to the liver" JOURNAL OF CLINICAL INVESTIGATION, NEW YORK, NY, US, vol. 112, no. 2, July 2003 (2003-07), pages 160-169, XP002289820 ISSN: 0021-9738 the whole document	17-26,28
A	GU JIAN ET AL: "Tumor-specific transgene expression from the human telomerase reverse transcriptase promoter enables targeting of the therapeutic effects of the Bax gene to cancers" CANCER RESEARCH, vol. 60, no. 19, 1 October 2000 (2000-10-01), pages 5359-5364, XP002305135 ISSN: 0008-5472 abstract	
A	QIAO J ET AL: "Tumor-specific transcriptional targeting of suicide gene therapy" GENE THERAPY, vol. 9, no. 3, February 2002 (2002-02), pages 168-175, XP002305136 ISSN: 0969-7128 abstract	

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## Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 17-26, 28  
because they relate to subject matter not required to be searched by this Authority, namely:  
Rule 39.1(iv) PCT - Method for treatment of the human or animal body by therapy
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.